

2009



U.S. DEPARTMENT OF LABOR'S BUREAU OF INTERNATIONAL LABOR AFFAIRS

# U.S. Department of Labor's 2009 Findings on the Worst Forms of Child Labor



REPORT REQUIRED BY THE TRADE AND DEVELOPMENT ACT OF 2000

2009



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# U.S. Department of Labor's 2009 Findings on the Worst Forms of Child Labor

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REPORT REQUIRED BY THE TRADE AND DEVELOPMENT ACT OF 2000



SECRETARY OF LABOR  
WASHINGTON

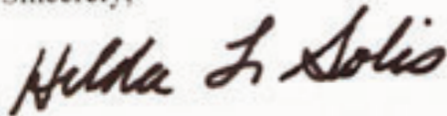
DEC 15 2010

The Honorable Joseph R. Biden  
The Vice President of the United States  
Washington, DC 20500

Dear Mr. Vice President:

The enclosed report, titled *The Department of Labor's 2009 Findings on the Worst Forms of Child Labor*, is submitted in accordance with section 504 of the Trade Act of 1974 as amended (19 U.S.C. 2464). The report describes the efforts of 144 countries, non-independent countries, and territories to meet commitments to eliminate the worst forms of child labor. We hope this report is useful to the Congress.

Sincerely,



HILDA L. SOLIS  
Secretary of Labor

Enclosure

cc: The Honorable Harry Reid, Senate Majority Leader  
The Honorable Mitch McConnell, Senate Minority Leader

SECRETARY OF LABOR  
WASHINGTON

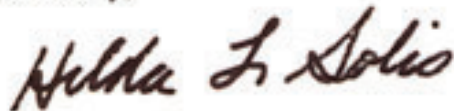
DEC 15 2010

The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
Washington, DC 20515

Dear Madam Speaker:

The enclosed report, titled *The Department of Labor's 2009 Findings on the Worst Forms of Child Labor*, is submitted in accordance with section 504 of the Trade Act of 1974 as amended (19 U.S.C. 2464). The report describes the efforts of 144 countries, non-independent countries, and territories to meet commitments to eliminate the worst forms of child labor. We hope this report is useful to the Congress.

Sincerely,



HILDA L. SOLIS  
Secretary of Labor

Enclosure

cc: The Honorable John Boehner, House Minority Leader

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SECRETARY OF LABOR  
WASHINGTON

Over the past decade, the United States and more than 170 other countries have committed to work toward the prevention and elimination of the worst forms of child labor.

We consider this a matter of urgency.

The worst forms of child labor include slavery, forced or compulsory labor, debt bondage, trafficking, illicit activities, commercial sexual exploitation, and armed conflict as well as other hazardous activities that should not be carried out by children – regardless of their economic status, place of birth, gender, or background. Our countries have made this commitment by ratifying Convention 182 of the International Labor Organization (ILO), since the Convention's adoption in 1999.

But according to recent ILO estimates, 115 million children worldwide continue to toil in labor that is hazardous to their health. While this data represents a decline since the last estimate was released four years ago, progress has slowed compared to previous years and further risks being reversed as a result of the global economic crisis.

As one of the countries that ratified this Convention, the United States must look at how we are addressing this issue at home. During my tenure as Secretary of Labor, we have added more than 350 new field investigators, issued regulations increasing protection for young workers in dangerous non-agricultural jobs, and instituted a tougher penalty structure for those who employ workers illegally. We are also exploring regulatory changes to offer increased protection for children working in the agricultural sector.

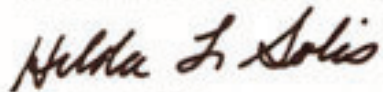
The United States is working to end the worst forms of child labor beyond our borders by working with like-minded countries to find viable alternatives to the exploitation of children. Our assistance helps families to improve their livelihoods and places children into valuable educational programs, keeping them out of dangerous and degrading work environments.

Last summer, I traveled to El Salvador and Nicaragua to get a first-hand look at the work we are supporting there. I had the chance to meet children, who as a result of these opportunities, now dream of being the first in their families to go to college or to pursue the future of a promising career.

This work upholds the U.S. Government's commitments under Convention 182. The new initiatives that the Department of Labor funds abroad are now combining an emphasis on education for working children with interventions that help their parents work their way out of poverty. President Obama said it well: "progress in even the poorest countries can advance the prosperity and security of people far beyond their borders, including my fellow Americans."



The U.S. Government also works to promote the global fight against the worst forms of child labor through research and reporting to provide needed information about the scope, nature and location of the problem, as well as examples of ways to address it. This year we have redesigned this report, *Findings on the Worst Forms of Child Labor*. We provide a concrete description of the steps countries are taking to address the problem and we suggest actions that would make a real difference in the lives and opportunities of these children. We hope this will assist and motivate governments around the world to take effective next steps to eliminate this exploitation. In combination with other reporting, such as the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor*, we believe we can make an enormous difference in the lives of tens of millions of children for whom there is no time to lose.



HILDA L. SOLIS  
Secretary of Labor  
December 15, 2010



**T**HIS report was prepared under the direction of Sandra Polaski, Deputy Under Secretary for International Affairs; Marcia Eugenio, Director of the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Kevin Willcutts, Deputy Director, OCFT. Coordination of the report was by Tina McCarter and Charita Castro of OCFT, and the writing, editing, and research were done by OCFT and other Bureau of International Labor Affairs (ILAB) staff: Wendy Blanpied, Bill Brumfield, Kathryn Chinnock, Katie Cook, Atta Cudjoe, Chandra DeNap, Jessica Farmer, Mary Francis, Diantha Garms, Danielle Griswold, Susanna Groves, Sudha Haley, Thomas Heckroth, Sharon Heller, Maureen Jaffe, Malaika Jeter, Grace Kaissal, Chanda Leckie, Jermaine Leonard, Kristin Lipke, John Mondejar, Eileen Muirragui, Sarah Newsome, Micaela Okamura, Kimberly Parekh, Angela Peltzer, Laura Recchie, Rachel Phillips-Rigby, Tanya Rasa, Amy Ritualo, Brandie Sasser, Samantha Schasberger, Michael Spangler, Leyla Strotkamp, Jose Toasa, Ana Valdes, Pilar Velasquez, Cara Vilen, Bogdan Vitas, Chris Watson, Patrick White, Liz Wolkomir, and Bruce Yoon.

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This report was published by ILAB. Copies of this and other reports in ILAB's child labor series may be obtained by contacting the Office of Child Labor, Forced Labor and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-5317, Washington, DC 20210. Telephone: (202) 693-4843; Fax: (202) 693-4830; e-mail: [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov). The reports are also available on the Internet at: <http://www.dol.gov/ilab/>. Comments on the reports are also welcomed and may be submitted to the e-mail listed above.



AGOA	African Growth and Opportunity Act
ASEAN	Association of Southeast Asian Nations
ATPA	Andean Trade Preference Act
ATPDEA	Andean Trade Promotion and Drug Eradication Act
CAFTA-DR	Central America-Dominican Republic Free Trade Agreement
CBTPA	Caribbean Basin Trade Partnership Act
CEACR	International Labor Organization Committee of Experts on the Application of Conventions and Recommendations
CRC	Convention on the Rights of the Child
EAPCCO	Eastern Africa Police Chiefs Cooperation Organization
ECOWAS	Economic Community of West African States
ECCAS	Economic Community of Central African States
ECPAT	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
EU	European Union
GSP	Generalized System of Preferences
OCFT	Office of Child Labor, Forced Labor and Human Trafficking
IDB	Inter-American Development Bank
ILO	International Labor Organization
ILO Convention 138	International Labor Organization, Convention No. 138: Minimum Age for Admission to Employment
ILO Convention 182	International Labor Organization, Convention No. 182: Worst Forms of Child Labor
ILO-IPEC	International Labor Organization, International Program on the Elimination of Child Labor
IMF	International Monetary Fund
IOM	International Organization for Migration
MERCOSUR	Common Market of the South (America); members include Argentina, Brazil, Paraguay, Uruguay, and Venezuela
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
OAS	Organization of American States
OSCE	Organization for Security and Cooperation in Europe
Palermo Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime
PRSP	Poverty Reduction Strategy Paper
SIMPOC	Statistical Information and Monitoring Program on Child Labor
UCW	Understanding Children's Work
UN	United Nations

UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USDHS	U.S. Department of Homeland Security
USDOL	U.S. Department of Labor
USDOS	U.S. Department of State
USDOJ	U.S. Department of Justice
USHHS	U.S. Department of Health and Human Services
WFP	World Food Program
\$	U.S. dollar









## Mandate

**F**INDINGS on the *Worst Forms of Child Labor* is the ninth annual report prepared by the U.S. Department of Labor in accordance with the Trade and Development Act of 2000 (TDA).<sup>1</sup> The TDA expanded country eligibility criteria for several preferential tariff programs and mandates the Secretary of Labor to report on each “beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.”<sup>2</sup> The expanded country eligibility criteria applies to the Generalized System of Preferences (GSP) program, enacted by the Trade Act of 1974, and now includes the implementation of commitments to eliminate the worst forms of child labor.<sup>3</sup> The TDA also applies this criterion to eligibility for trade benefits under the Africa Growth and Opportunity Act (AGOA), the U.S.-

Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Preference Act/Andean Trade Promotion and Drug Eradication Act (ATPA/ATPDEA).<sup>4</sup>

The definition of the “worst forms of child labor” in the TDA is the same definition of the term contained in ILO Convention 182 (ILO C. 182). The TDA and ILO C. 182 define a “child” to be a person under the age of 18. The definition includes as “worst forms of child labor” all forms of slavery or practices similar to slavery, the sale or trafficking of children, debt bondage or serfdom; the forcible recruitment of children for use in armed conflict; the commercial sexual exploitation of children; the involvement of children in drug trafficking; and work that is likely to harm children’s health, safety, or morals.<sup>5</sup>

1. P.L. 106-200 (May 16, 2000); available from <http://uscode.house.gov/download/pls/19C12.txt>.

2. 19 USC sections 2462(b), 2464.

3. Ibid., section 2462(b)(2)(H).

4. Africa Growth and Opportunity Act, U.S. Code 19, section 2466a. See also U.S.-Caribbean Basin Trade Partnership Act, U.S. Code 19, section 2703. See also Andean Trade Preference Act/Andean Trade Promotion and Drug Eradication Act, U.S. Code 19, section 3203.

5. ILOLEX Database of International Labour Standards, C182 Worst Forms of Child Labour Convention, 1999, accessed April 8, 2009; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.



## Overview

This report contains profiles of 125 independent countries and a summary report on 19 non-independent countries and territories designated as GSP beneficiaries and/or beneficiaries of trade preferences under the AGOA, CBTPA, and ATPA/ATPDEA. In addition, the report includes information on former GSP recipients that have negotiated free trade agreements with the United States, in view of *Senate Report 111-66*.<sup>6</sup>

Information in the profiles focuses on the period March 2009 through February 2010. Due to the redesign of the 2009 report and revised release date, important developments that occurred from February through October 2010 are also included. Each country profile contains a table with child labor statistics; a highlights paragraph that notes major steps or remaining problems; five text sections that describe the problem and different aspects of government efforts to address it; a table of information on relevant laws and ratification of international instruments; and a set of suggested actions. Each of these sections is described in detail below (See Section Content and Data Analysis).

This 2009 report differs from previous versions in a number of ways. It provides a sharper focus on the worst forms of child labor, mainly in the first section of the text, which highlights the prevalence and distribution of the problem. In previous reports USDOL provided an overview of children's work in each country that may have included cases that did not clearly constitute the worst forms of child labor. This year, USDOL chose to focus exclusively on the worst forms of child labor.

Article 3(d) of ILO Convention 182 defines the worst forms of child labor to include "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children". This "hazardous work" is determined by individual governments, in coordination with workers' and employers' organizations. See ILO Convention 184, Art. 4; ILO Recommendation 190, Arts. 3-4. In this report, where possible, USDOL has identified statutory and regulatory provisions defining hazardous work and the specific activities deemed improper for children to undertake. However, in many countries such provisions were frequently found to be very



6. S. Rept. 111-66, *Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Bill, 2010*, (2009).

limited, ill-defined, or were not found at all. To allow for a reliable and complete report, USDOL acknowledges the national obligation to determine the scope of “hazardous work” under ILO Convention 182, but defines the worst forms of child labor under Article 3(d) in a broader sense.

The broader definition is used in light of the conclusion that to accept a definition of hazardous work to be only as that determined by each country would inaccurately portray the child labor situation in countries that have either not defined “hazardous work” or that have done so in a limited, incomplete or vague manner. Accordingly, USDOL has employed the ILO Recommendation 190 guidelines to adjudge the types of work deemed to be worst forms of child labor under Article 3(d) of ILO Convention 182. The guidelines indicate that the following types of work should generally be considered harmful to children: “(a) work which exposes children to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.” Therefore, where the “worst forms of child labor” is noted in this report, it includes work that USDOL has deemed to be work that is likely to harm the health, safety or morals of children under Article 3(d) of ILO Convention 182.

The sections that describe government efforts also differ from those in previous reports. These sections are organized to more closely track the types of efforts that the congressional TDA Conference Committee report indicated the President should consider when determining whether a country has met its obligations under the GSP program.<sup>7</sup> (See below for a more complete discussion). As mentioned above, the report now contains a new paragraph highlighting the key findings in the report. Perhaps the most significant change is the inclusion for the first time this year of a set of proposed actions for each government to consider that would address the findings.

Additionally, ILO Convention 182 does not explicitly exclude from coverage work performed by children on

bona fide family farms<sup>8</sup>. The ILO has included such work when considering the scope of ILO C. 182. Accordingly, this report reflects the ILO’s broad vision on this issue and does not distinguish based on the size or nature of the farms in its discussion of the worst forms of child labor in agriculture.

These changes to the 2009 report were made to enhance the report’s usefulness as a tool for policymakers and children’s advocates in the United States and abroad as they seek ways to eliminate the worst forms of child labor.

## Methods

### DATA COLLECTION AND SOURCES OF DATA

Information was gathered for this report through desk research and, to a limited extent, field work. The research was conducted between November 2009 and November 2010.

Desk research consisted of an extensive review of materials produced by a variety of sources such as USDOL, other U.S. Government agencies, foreign governments, international organizations, NGOs, U.S. Government-funded technical assistance and field research projects, academic research, independent research, media, and others. Examples of sources used include latest editions available of country laws relevant to child labor, ILO-IPEC SIMPOC and other national level child labor surveys, NGO reports on child labor in various countries, and ILO Committee of Experts direct requests and observations.

The Department of State and U.S. embassies and consulates abroad provided important information by gathering data from contacts, conducting site visits, and reviewing local media sources. A request for information from the public was published in the *Federal Register*, and a copy of the request was emailed and mailed to the Washington embassies of countries covered in the report.<sup>9</sup> Data was also collected through site visits to certain countries cov-

8. In negotiating ILO C. 182, ILO employer members stated that the language of Article 3(d) “should not require governments to intervene in situations in which children worked for their parents on bona fide family farms or holdings.” The Worker Vice-Chairperson clarified that any such understanding should encompass only those farms “that did not interfere with children’s schooling and which were truly within a protected family environment.” International Labor Conference, 87 Session, Report of the Committee on Child Labor, ¶¶172-173 (statements by Employer and Worker Vice-Chairpersons).

9. A copy of the request was also sent to the Permanent Mission of the Kingdom of Bhutan to the United Nations in New York. Countries with no embassy in the U.S. were not sent copies of the request. See U.S. Department of Labor, “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor,” *Federal Register* vol. 75, no. 36 (February 24, 2010); available from <http://www.gpoaccess.gov/fr/index.html>.

7. H. Rept. 106-606, *Trade and Development Act of 2000*, (2000).





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ered in the report, which included additional collection of documents as well as key informant interviews.

It must be noted that the existence of child labor, particularly the worst forms of child labor, often involves violations of laws and regulations, including serious criminal violations in some egregious cases. Information on child labor may be intentionally suppressed. The victims of the worst forms of child labor may be too vulnerable or politically weak to claim their rights or even communicate their situations. These factors make information on the worst forms of child labor difficult to obtain. Therefore in order to compile a credible report that is as comprehensive as possible, USDOL used the following methodology to collect and assess information.

- ◆ *Nature of information.* Whether the information about child labor and government efforts to combat it gathered from research, public submissions, or other sources is relevant and probative, and meets the definitions of the worst forms of child labor and government efforts as used in this report. (See Glossary for definitions.) Specific evidence of government efforts was preferred over unsupported assertions about such efforts.

- ◆ *Date of information.* Whether the information about child labor is no more than 5 years old at the time of receipt by USDOL. More current information was given priority; USDOL used sources published during the reporting period to the extent possible. Information older than 5 years is generally not considered.

However, in the case of child labor statistics, certain factors contribute to less frequent generation of new data.<sup>10</sup> Because government and other efforts to address exploitative child labor take time to have an impact on national level rates of child labor, children's involvement in such activities does not change dramatically from year to year. Child labor surveys are carried out infrequently in part because the child labor picture does not change frequently (although there have been recent increases in the number of surveys carried out). In order to present an overall picture of children's work in as many countries as possible, USDOL used data for some countries that were up to 10 years old (1999) at the time compilation of this report began. For more information on statistics used in the report, please see

10. This report uses statistics on children's work because statistics on the worst forms of child labor are difficult to collect and not widely available.



the Child Labor and Education Statistics: Sources and Definitions section.<sup>11</sup>

- ◆ *Source of information.* Whether the information, either from primary or secondary sources, is from a source whose methodology, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity, warrants a determination that it is relevant and probative.
- ◆ *Extent of corroboration.* The extent to which the information about the use of child labor is corroborated by other sources.

## LIMITATIONS

A reliance on online research as a major data collection method for the report means that less information was available for review for countries where Web access and technology is limited. It also may mean that there is less

information about countries with more closed government structures and less civil society participation. The lack of information may create an impression that a country has less serious problems with the worst forms of child labor than it has in reality. At the same time, the lack of information in some cases may create the impression that a government is doing less than it should, when it may be that information on such efforts was unavailable. Although countries with open and available information may sometimes appear to have larger problems relative to other countries, this may not be the case. In fact, countries that make information collection on child labor a priority are in a better position to eliminate the problem than those countries where such information is suppressed.

Most of USDOL's online research was conducted in English; however, some research was conducted in Spanish, French, and to a limited extent, Portuguese. Materials written in other languages were generally not reviewed.

Although information was requested from the public, including through requests to governments covered in the report, only 29 out of the 125 countries and 19 non-independent countries and territories submitted information

11. Another exception to this general 5 year age standard can be found in the last section of the report, in which some programs older than 5 years may be discussed. Please see the section below "Section 5: Social Programs to Prevent and Eliminate the worst forms of child labor" for a discussion of this topic.





in response to this request. In addition, since in-country data collection was conducted only in a small subset of countries, lack of access to in-country sources of information has likely led to some oversights and omissions in reporting.

When USDOL was unable to find information about the major topics of discussion, including the content of important laws or enforcement efforts, this was noted.

## SECTION CONTENT AND DATA ANALYSIS

### *Statistics table and “Highlights” paragraph*

Each country profile begins with a statistical table. For approximately 40 country profiles, that table includes statistics on the percent of working children, school attendance rate, and the percent of children who combine school and work. For a smaller set of profiles, data on child work by sector is provided. For some profiles, none of these data are available from the sources used in this report. For more information on this table, see the section Statistical Sources and Definitions.

The country profile also highlights the most significant efforts to combat the worst forms of child labor the country undertook, major gaps in such efforts, and the most pressing problems facing the country with regard to worst forms of child labor. Where possible, this paragraph notes the most common worst forms of child labor in the country. In many cases, however, such information is not available. Given the serious nature of the issue, any case in which the Government itself is involved in the use of worst forms of child labor is also described in this paragraph.

### *Section 1: Prevalence and Sectoral Distribution of the Worst Forms of Child Labor*

The first section of each country profile provides, to the extent available, a comprehensive picture of the worst forms of child labor in a country, beginning with a discussion of the most common forms of labor. The discussion provides information about the nature and conditions of the work where such information was available.

### *Section 2: Laws and Regulations on the Worst Forms of Child Labor*

The second section of each profile provides information on two criteria established in the TDA Conference Committee report: “1) whether the country has adequate laws and regulations proscribing the worst forms of child

labor” and “2) whether the country has adequate laws and regulations for the implementation and enforcement of such measures...”. This section describes a country’s legal framework in regard to the worst forms of child labor. Laws relating to the worst forms of child labor generally are comprised of labor laws and regulations as well as criminal law.

USDOL analyzed the laws and regulations of each country to determine the extent to which the country’s legal framework correspond to the standards called for in the TDA. In line with ILO’s Committee of Experts on the Application of Conventions and Recommendations, USDOL considered any law that could be used to prohibit the worst forms of child labor to constitute accordance with international standards. In line with current legal practice around most of the world, USDOL considered whether laws were comprehensive in their prohibitions of all variations of the particular worst form as well as all steps in the process of exploitation (for example, in regard to commercial sexual exploitation of children, are prohibitions in place for offering as well as procuring a child for sex and whether prohibitions applied to both boys and girls up to the age of 18). Finally, in order to focus on the most urgent problems as called for in ILO C. 182, USDOL focused on whether legal protections were in place regarding the specific worst forms of child labor that actually exist in the country.

This section also includes a table with information on selected international conventions the country has ratified, as well as education and child labor laws and policies it has adopted. The conventions include ILO C. 138 and 182; the UN Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). A checkmark usually indicates the country has ratified the instrument. In some cases, a checkmark represents a case of acceptance, accession or succession to the instrument, given that these actions have the same legal effect regarding the substantive obligations of the instruments as ratification.<sup>12</sup>

12. For more information on country ratification of these instruments, see the UN Treaty Collection, *Chapter IV : Human Rights*, available at <http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.



### ***Operationalization of standards***

USDOL operationalized international standards on legal protections against the worst forms of child labor as follows.

The section first assessed a country's minimum age for admission to work and the age through which education is compulsory. Although these provisions are found in ILO Convention 138 (ILO C. 138) as opposed to ILO C. 182, they provide a foundation for protections against the worst forms of child labor. ILO C. 138 establishes that countries should set a minimum age for work of 15, or 14 for countries with lesser-developed economies. Per ILO C. 138, the minimum age through which education is compulsory should be at least equal to the minimum age for employment. It is possible that a low (or no) compulsory school age may encourage children below the legal age of employment to work, since they are not required to attend school. Because such work is illegal, it may be more hidden from public view than other forms of work, increasing the possibility of exploitation through involvement in hazardous work or other worst forms of child labor.

The section also assesses whether the country's laws provide protections against each worst form of child labor as established in ILO C. 182 Article 3, (a) through (d), if it was occurring in the country. In regard to forced child labor, USDOL considered whether forced child labor, debt bondage and/or child slavery exist in the country, and then assessed whether the law prohibits all manifestations of the problem. In regard to child trafficking, USDOL determined whether children were trafficked internationally and/or domestically and for what purposes.<sup>13</sup> USDOL also determined whether the country was experiencing armed conflict, and then assessed relevant laws to protect children from this worst form of child labor. If there was no evidence of armed conflict in the country, USDOL assessed whether the minimum age for military recruitment was 18, and in cases in which armed conflict was found to exist, USDOL additionally assessed whether the law prohibits forced or voluntary recruitment of children for use in any armed conflict, both by the armed forces as well as other armed groups.

13. Since the focus of each profile is on worst forms of child labor in that particular country, information about the purposes of trafficking out of the country is not always included. Such information would be included in the receiving country's profile.



If child prostitution exists in the country, USDOL assessed whether the law prohibits recruitment, use, sale of and benefiting from the proceeds of child prostitution, while in regard to child pornography, whether laws prohibit the production, distribution/sale of, benefiting from, and possession of child pornography. In the case of use of a child by an adult in illicit activities, USDOL examined whether specific manifestations of such acts occur in the country—such as use of children for drug trafficking or in forced begging, and then assessed whether the law prohibits the use of a child in such activities.

In regard to hazardous activities, although the focus was on relevant hazardous labor that occurs in the country, given ILO C. 182's call for countries to establish comprehensive prohibitions absent hazardous work, USDOL generally assessed whether the countries' law prohibits all types of activities laid out in ILO R.190, paragraphs 3 and 4.

### *Section 3: Institutional Mechanisms for Coordination and Enforcement*

The third section of each profile provides information on institutions charged with coordinating of efforts and enforcement of laws governing the worst forms of child labor in the country. The section addresses the third indicator for assessing a country's child labor efforts included in the TDA Conference Committee report: "3) whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor."

USDOL identified two distinct concepts for analysis. The first refers to whether the country has "formal institutional mechanisms." Although the Conference Committee report speaks only to whether such mechanisms are in place in regard to investigation and complaints of the worst forms of child labor, ILO C. 182 Article 5 states that "Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention." USDOL applied this concept to all provisions of the Convention, not just enforcement. However, since the term "monitor" is often associated with enforcement, USDOL uses the term "coordinate" for this function.

The second concept USDOL analyzed was whether or not the country has mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor. Specifically, USDOL operationalized the concept of enforcement as follows.

### **Operationalization of standards**

Because ILO C. 182 discusses enforcement to only a limited extent, other international standards and practice were also considered as general guidelines, including those from ILO Conventions 81 and 129 on Labour Inspection and Labour Inspection in Agriculture respectively. To the extent possible, USDOL assessed whether the country had:

- ◆ Established labor inspection systems
- ◆ Employed a sufficient number of inspectors to enforce a country's laws and regulations
- ◆ Provided sufficient funding and resources to enforce laws and regulations
- ◆ Provided training to inspectors
- ◆ Established processes for information sharing among enforcement authorities
- ◆ Created mechanism for filing complaints
- ◆ Targeted inspections to areas in which the worst forms of child labor were believed to occur and conducted inspections with sufficient frequency
- ◆ Prosecuted child labor violations
- ◆ Published information on inspections.

In most cases, USDOL did not have sufficient information to determine whether numbers of inspectors were sufficient in the country. If governments provided assessments about the sufficiency of the inspectorate, that information was included. USDOL considered the benchmarks developed by the ILO in regard to sufficient numbers of inspectors.<sup>14</sup> Given the lack of information, however, USDOL was cautious in its assessment of adequate numbers of inspectors, and only in cases in which the number of inspectors was extremely small relative to the population did USDOL make findings of insufficiency.

Although ILO Conventions focus on labor laws, the worst forms of child labor encompass activities such as child prostitution which are generally covered by criminal laws. Therefore the report also assessed the same criteria in regard to criminal law enforcement.

14. According to the ILO, benchmarks for sufficient numbers of labor inspectors in relation to workers are: 1/10,000 for industrialized market economies, 1/15,000 for industrializing economies, 1/20,000 for transition economies, and 1/40,000 for lesser developed countries. See [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_gb\\_297\\_esp\\_3\\_en.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_gb_297_esp_3_en.pdf).



#### *Section 4: Government Policies on the Worst Forms of Child Labor*

The fourth section of the profiles provides information on the TDA Conference Committee report criteria: “whether the country has a comprehensive policy for the elimination of the worst forms of child labor.” This section describes a country’s policies and plans to combat the worst forms of child labor.

In writing the report, USDOL used the framework provided in R. 190, Art X15(f), which illustrates measures that countries might take to combat worst forms of child labor, such as “encouraging the development of policies by undertakings to promote the aims of the Convention...”. In ILO C. 182 and in comments from the ILO Committee of Experts, the terms programs and plans of action are often used interchangeably. Indeed, it is difficult to distinguish in some cases between a policy, a plan, and a program. For purposes of the TDA, a policy on worst forms of child labor is defined as a framework that lays out general principles that are intended to guide a government’s actions on child labor. Although policies may call for the passage of new laws and the establishment of new programs, for purposes of the TDA, whether laws are adopted or programs are implemented is discussed in the Laws and Regulations on Child Labor section or Social Programs to Eliminate or Prevent the Worst Forms of Child Labor section.

##### **Operationalization of standards**

In this section of the profiles, USDOL assessed whether governments had:

- ◆ Established specific child labor policies, any related development policies that explicitly incorporate the issue of child labor, or any related development policies that do not explicitly target child labor but that could impact the problem. USDOL determined that, because so few governments distinguish between worst forms of child labor and child labor when establishing policies, any policy on child labor, whether targeted to worst forms of child labor or not, would be discussed.
- ◆ Established policies that included specific action plans, assigned responsibilities, established goals, and set timetables.
- ◆ Implemented such policies.

#### *Section 5: Social Programs to Prevent and Eliminate the Worst Forms of Child Labor*

This section responds to the Conference Committee report criteria that calls for a consideration of “whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor...”. This section describes any such programs, including programs to combat child labor that the country has implemented since 2001. Given that this edition of the report includes findings and suggested actions for the first time, USDOL determined it was relevant to provide this context on the efforts countries had made since the TDA report was first published. The section then discusses programs implemented during the reporting period.

As in the section on policies, this section describes both programs focused on worst forms of child labor and on all forms of child labor, since countries often do not distinguish between the two in child labor programs. Also as in the policies discussion, this section discusses programs that focus on child labor explicitly, as well as programs that address poverty, education, and other related matters that could have a beneficial impact on child labor, whether or not that was the specific focus.

USDOL generally considered international organization-implemented efforts to be government efforts, because they can only be carried out with consent of the government, and many times, such efforts are considered as part of national budgets.

##### **Operationalization of standards**

In this section, USDOL based its assessment on Articles 6 and 7 of ILO C. 182, which call for countries to urgently eliminate worst forms of child labor. ILO R. 190 was also used as a guide in determining the kinds of efforts governments might make, such as giving special attention to girls, providing training to employers and workers, and raising awareness about the problem. With this in mind, USDOL assessed whether governments had:

- ◆ Participated in any programs to combat child labor, including programs aimed at directly preventing and withdrawing children from child labor;
- ◆ Implemented programs sufficient to combat the scope and magnitude of the child labor problem;
- ◆ Targeted at-risk populations; and
- ◆ Implemented programs successfully and sustainably.

## Other Issues

The issues that impact children's involvement in the worst forms of child labor are many and often not fully understood. In writing the TDA report, USDOL decided to focus on aspects of governments' efforts that appear likely to have a direct impact on the problem. Therefore laws, coordination and enforcement efforts, policies and programs explicitly targeted at child labor make up the bulk of the discussion. The report notes programs to combat poverty and promote education that may contribute to the elimination of the worst forms of child labor, while noting the need for further research.

The report excludes policies and programs such as infrastructure projects and health programs, which in some cases have been shown to support children's school attendance.<sup>15</sup> The link to child labor is less direct than in the case of targeted child labor programs and it is difficult to assess the impact these interventions have on child labor.

The issue of access to education is discussed in a limited way. Each country profile notes whether, by law, countries have established free and compulsory primary education. Nonetheless, it should be kept in mind that barriers to access to education, such as legal and illegal school fees, transportation costs, and physical distances to schools may prevent families from sending their children to school and make the decision to have them work more attractive. Poor quality education may encourage families to value the practical skills, as well as income, that their children gain in the workplace over schooling.<sup>16</sup>

Another issue that impacts children's involvement in the worst forms of child labor is the problem of corruption related to enforcement of laws covering the worst forms of child labor. While some corruption is likely to exist in many countries, including the United States, specific, credible evidence regarding the problem is extremely limited. Global attention to the issue of human trafficking has made information on corruption among law enforcement and other officials working on this issue somewhat more available. Since an informed discussion of the problem was beyond the scope of this report, discussions of corruption have been excluded from the country profiles.

15. Edward Miguel and Michael Kremer, "Worms: Identifying Impacts on Education and Health in the Presence of Treatment Externalities," *Econometrica* 72, no. 1 (2004), 159-217. See also Abdul Latif Jameel Poverty Action Lab, *Primary School Deworming in Kenya* [online] n.d. [cited November 7, 2010]; available from <http://www.povertyactionlab.org/evaluation/primary-school-deworming-kenya>.

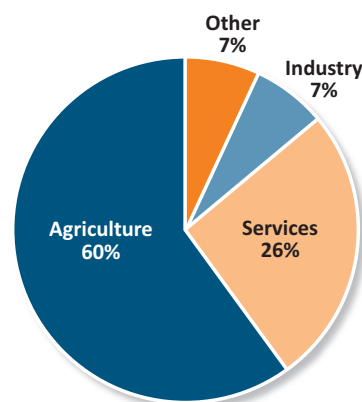
16. UNESCO, *Education for All - Global Monitoring Report: The Quality Imperative* 2005, 40-78; available from [http://www.unesco.org/education/gmr\\_download/chapter2.pdf](http://www.unesco.org/education/gmr_download/chapter2.pdf).

## The Year in Review

ILO C. 182, one of the most widely ratified international labor conventions, came into force in 1999. During the ensuing years, countries have intensified their efforts to address the worst forms of child labor and progress has been made. Global estimates released in 2006 showed that the number of child laborers declined by 9.5 percent between 2000 and 2004. The number of children in hazardous work declined even faster than the number of children in child labor generally, at an impressive 24.7 percent.<sup>17</sup> This encouraged the ILO and its member states to set an ambitious goal. They adopted a global action plan to eliminate the worst forms of child labor by 2016. However, since then progress has slowed. This year, the ILO released a new global estimate, tracking the change between 2004 and 2008. It reveals that the number of child laborers worldwide fell by just 3.2 percent, only about a third as much as during the previous four years. In 2008, of the 215 million child laborers world wide, more than half (115 million) were doing hazardous work.<sup>18</sup> The 10.2 percent drop in the number of children in hazardous work that this represents was less than half as steep as it had been during the previous four years. There were other troubling trends. For example, hazardous work increased among children ages 15 to 17. And although the number of girls in child labor and hazardous work continued to steadily decline, the number of boys in child labor rose 7 percent, and the number of boys in hazardous work dipped less than 1 percent.

### What types of work are children engaged in?

*The majority of children's work continues to be in agriculture, followed by services, industry and other. Only one-fifth of child laborers are in paid employment status, with the majority serving as unpaid family workers.*



17. International Labor Organization, *Accelerating action against child labor* (Geneva) 2010, 8-9.

18. Ibid.



*School constructed with USDOL technical assistance funds in the Democratic Republic of the Congo.*

ILAB/Chanda Leckie

What is perhaps most sobering about this slowing progress is that these estimates cover the period immediately preceding the global economic crisis, so the picture has potentially worsened in the past two years. Children have likely been drawn into child labor, including its worst forms, as economies and family finances weakened. The current economic crisis has also constrained the ability of donor countries to help by burdening them with high unemployment and rising budget deficits.

Devastating natural disasters added to the factors pushing children into worst forms of child labor. The shocks from the powerful earthquake that struck Haiti in January 2010 continue to reverberate in the lives of hundreds of thousands of children who lost parents and access to even the most basic social services. In Pakistan, floods engulfed huge swaths of the country, forcing millions of families to abandon their homes and livelihoods. Such disasters unleash a cascade of hardship for vulnerable and marginalized populations and severely tax the ability of governments, NGOs, and international organizations to provide social programs needed to protect them.

Conflict is another persistent barrier to progress. In areas torn by war or civil unrest, children are less likely to be in school due to lack of infrastructure and security, and therefore more likely to be involved in some form of labor. In the worst cases, children are recruited or forced to participate in active combat. In some cases, rebel and insurgent groups beyond government control engage in child soldier recruitment and use, while in others government and government-supported forces engage in this practice. Rebel and insurgent groups have recruited and used children in conflict during the period covered by this report in Afghanistan, Central African Republic, Chad, Colombia, Cote d'Ivoire, the Democratic Republic of the Congo, Ethiopia, India, Iraq, Lebanon, Pakistan, Philippines, Somalia, Sri Lanka, Uganda, and Yemen. States deemed to have unlawfully recruited, in some cases forcibly, or used child soldiers in government armed forces or government-supported armed groups include Chad, the Democratic Republic of the Congo, Somalia, and Yemen.

Economic and security challenges may tempt some governments to delay addressing the worst forms of child labor. But as countries search for paths to stability and



prosperity, fighting this problem can be key. The worst forms of child labor perpetuate a cycle of poverty, often denying children the opportunity to attend school and learn the skills they need to become productive adults. Such exploitation risks children's health and wellbeing, often leaving them with both physical and mental impairments. Breaking this cycle can unlock not only this generation's potential to improve its own livelihoods and futures, but also those of its children. On the largest scale, it can nurture sustainable economic development and help to build a more balanced global economy by enabling developing and emerging economies to consume more goods and services. Protecting the tens of millions of children engaged in worst forms of child labor and providing them with an education is not just the morally right thing to do. It is in everyone's interest.

Despite the recent slowdown in progress, many nations have signaled their determination to move forward in this effort. In May 2010 over 400 representatives from government, employer, worker, civil society and international organizations from 80 countries participated in a global child labor conference in the Netherlands. Their goal was to take stock of progress made since the adoption of ILO C. 182, identify remaining challenges, and agree on measures to accelerate progress towards eliminating the worst forms of child labor by 2016.

The outcome of this conference was a Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016. This document calls on all actors involved to "substantially upscale and accelerate action." It asserts that the progress made during the previous decade "demonstrates that the fight against child labor can be won with sound policy choices and substantial national and international resource commitments."<sup>19</sup> The Roadmap states that governments have the primary responsibility for the elimination of the worst forms of child labor and for enforcing the right of all children to education, while workers' and employers' groups, civil society organizations, and international and regional organizations also have important roles to play. The Roadmap lays out policy priorities for countries, including adopting and enforcing legislation on child labor, especially its worst forms; developing and implementing national action plans; providing adequate resources to achieve policy goals; and supporting decent and productive work for adults and youth of working age.

19. *Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016*, Outcome Document, The Hague Global Child Labour Conference 2010.

On the 2010 World Day against Child Labor on June 12<sup>th</sup>, the ILO pushed for renewed urgency in fighting the worst forms of child labor, scaled-up global, national, and local-level efforts, and increased political and popular commitment to eliminating child labor.<sup>20</sup> Noting that the 2010 World Day coincided with the World Cup in soccer, the ILO called upon the world community to "Go for the Goal: End Child Labor."

That same month, member nations of the ILO also took concrete action to help accomplish this goal, specifically in regard to the plight of domestic workers. Many domestic workers are children, and many are subjected to the worst forms of child labor. These children may perform arduous work for long hours and they are particularly vulnerable to physical and sexual abuse given that their place of work is a private home in which they likely eat and sleep. For the first time, ILO member states agreed to work toward adopting a comprehensive new Convention, supported by a Recommendation, on "decent work for domestic workers."<sup>21</sup> Since many countries lack any legal protections for domestic servants of any age, a new Convention and Recommendation in this area will provide important guidance to prevent the exploitation of workers in this sector. For child domestic workers, who may find themselves particularly isolated and defenseless, setting this process in motion is especially important.

Finally, at the September 2010 United Nations Summit on the Millennium Development Goals, child labor concerns were explicitly linked, for the first time, to the Millennium Development Goals (MDGs). These goals sets ambitious global targets that governments around the world are striving to meet in area such as poverty elimination and providing universal primary education by the year 2015. In reference to the first goal, on eliminating extreme poverty and hunger, the Summit's Outcome Document called on countries to take "...appropriate steps to assist one another in the elimination of the worst forms of child labor, strengthening child protection systems and combating trafficking in children through, inter alia, enhanced international cooperation and assistance, including support for social and economic development, poverty eradication programs and universal education."<sup>22</sup>

20. <http://www.ilo.org/ipec/Campaignandadvocacy/WDACL/WorldDay2010/lang-en/index.htm>

21. International Labor Organization, International Labor Conference, Provisional Record, 99th Session, Geneva, 2010, "Report of the Committee on Domestic Workers," 133.

22. UN General Assembly, *Keeping the promise: united to achieve the Millennium Development Goals*, New York, September 17, 2010; available from <http://www.un.org/en/mdg/summit2010/pdf/mdg%20outcome%20document.pdf>.



# 2010 Department of Labor Trade and Development Act Report Highlights

In addition to the collective efforts highlighted above, many countries have taken measures to address the worst forms of child labor on their own. This section highlights trends that emerge from the country profiles that follow in this report. First, we note some of the good practices and innovations in the areas of law, enforcement, policy, and social programs. Then we discuss some of the most common gaps where more action is needed.

## HIGHLIGHTS IN THE AREA OF LAWS

Establishing a clear, strong legal framework is a crucial foundation for countries' efforts to prevent and eliminate the worst forms of child labor. Numerous countries strengthened their laws and stiffened penalties for violating them during the reporting period.

In Rwanda, the Government raised the minimum age for performing hazardous work from 16 to 18 years to conform to international standards. Other governments toughened prohibitions for hazardous work in specific sectors. For example, the Government of South Africa published new regulations listing hazardous activities forbidden for children under 18. The Government of Burkina Faso issued a hazardous child labor list that barred children under 18 from working in 12 sectors. Uruguay passed a new decree regulating agricultural work and requiring the government to publish an annual list of the 50 most dangerous forms of labor in agriculture prohibited for children and adolescents.

In the Philippines, the Government passed new legislation that authorizes the Department of Labor and Employment (DOLE) to close businesses for violating child labor laws. DOLE regional directors may now shut down workplaces and firms immediately where the work may cause a child imminent physical or mental harm. Similarly, in Colombia, a new law permits authorities to seize hotels that are used for the commercial sexual exploitation of children.

New anti-trafficking legislation was adopted in Jordan, Saint Lucia, and Zimbabwe. Jordan's law prohibits human trafficking, including trafficking of children, for

both forced labor and sexual exploitation. Saint Lucia's new provision defines sexual exploitation of children as a criminal offense.

Other countries bolstered compulsory education laws, which may help protect children from the worst forms of child labor. For example, Brazil amended its Constitution to increase the age for compulsory education from 14 to 17. Tonga raised its mandatory school age from 14 to 18. India's Right to Education Act, which promises free and compulsory elementary education for children between the ages of 6 and 14, came into force. Additional steps will be needed, however, to keep children in school and out of the worst forms of child labor. For instance, both Tonga and India lack a basic minimum age for employment, and the minimum age for hazardous work in India is 14, well below the international standard of 18.

## HIGHLIGHTS IN THE AREA OF COORDINATION AND ENFORCEMENT

ILO C. 182 and R. 190 urge countries to establish mechanisms to monitor and coordinate efforts to combat the worst forms of child labor. A growing number of countries have established such coordinating mechanisms across government agencies. Often these inter-ministerial committees or task forces are chaired by Ministries of Labor and Employment. In Zambia, for example, the Ministry of Labor and Social Security chairs the National Steering Committee on Child Labor, which monitors and develops policies on child labor. In Tanzania, the Prime Ministers' Office of Regional Administration and Local Government chairs a National Intersectoral Committee on Child Labor that includes representatives from various government ministries and non-governmental organizations. In some countries, broader committees addressing child welfare and protection may include child labor in their portfolio. This is the case in Benin, for example, where the Ministry of Family and National Solidarity chairs a task force made up of five committees to protect children. Egypt has a General Committee for Child Protection, chaired by the Ministry of State for Family and Population, tasked with identifying and monitoring children at risk of exploitative labor. Many countries have set up similar coordinating committees to specifically address human trafficking, including the trafficking of children.

Laws can only prevent the worst forms of child labor if they are adequately enforced and this is often a challenge. Some countries established new institutions to help give their laws new "teeth." For example, in Panama, the Ministry of Labor established a new National Bureau against

Child Labor and for the Protection of the Adolescent Worker. This new office will have a presence throughout the country and will be responsible for enforcing child labor laws as well as providing training on these laws.

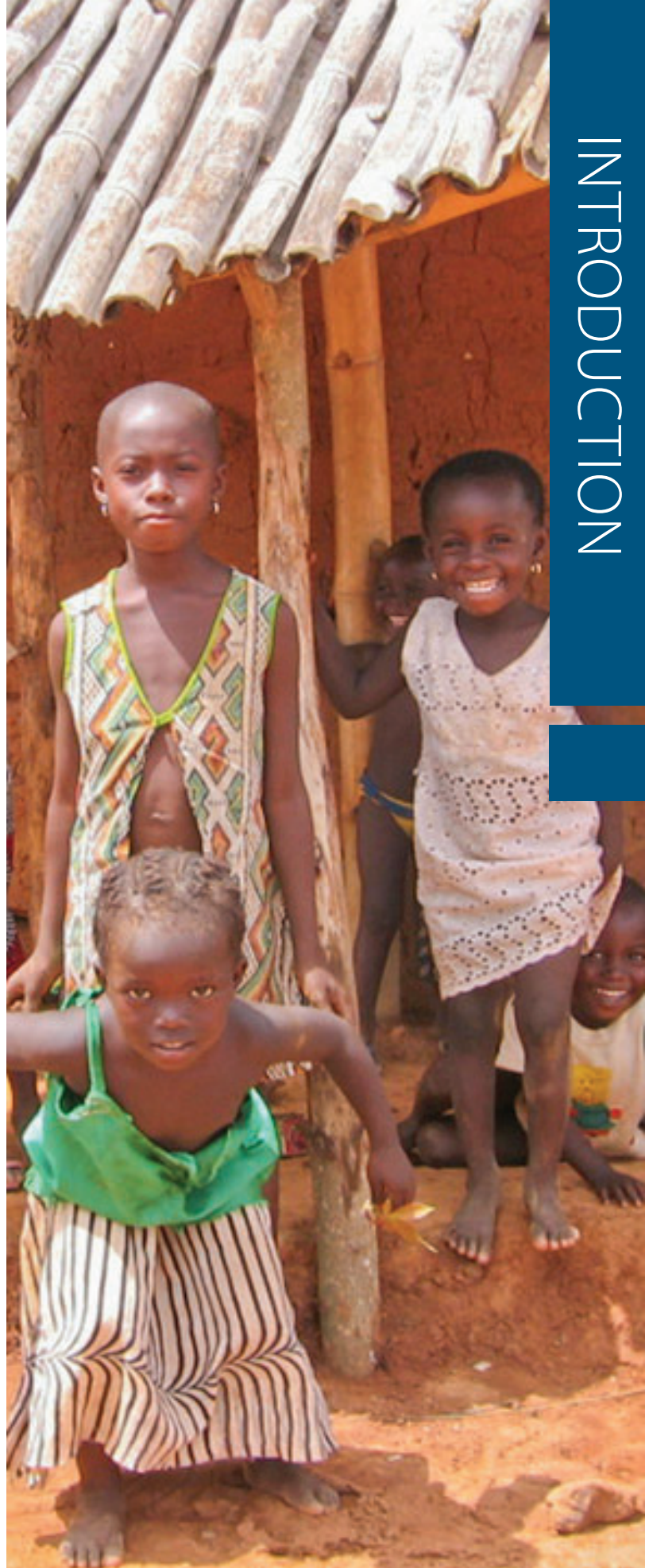
A number of countries fortified their ability to conduct inspections by hiring additional inspectors and providing staff with better guidance and training. In Indonesia, the Government hired an additional 231 labor inspectors, for a total of 2,200, tasked with withdrawing children from exploitative labor. In Bolivia, the Ministry of Labor developed a comprehensive guide and conducted trainings on child labor for all labor inspectors throughout the country. In Egypt, the Public Prosecutor's office provided training about forced child labor and trafficking to prosecutors working on children's cases and created a handbook on prosecuting such cases. In Sri Lanka, 240 labor, police, and probation officers were trained on child labor issues. Belize and Jordan trained inspectors on child labor as well.

In Thailand, the Government has begun to target inspections at workplaces where the worst forms of child labor are most likely to occur. The Department of Labor Protection and Welfare within the Ministry of Labor now prioritize inspections of small factories and workplaces with high concentrations of migrant and 15 to 17 year-old laborers, where the risk of hazardous labor is high. The Thai Government also collaborated with the Thai Frozen Food Association to conduct seminars and trainings on child labor for shrimp and seafood processors.

ILO R. 190 also urges countries to compile detailed information and statistical data on the nature and extent of child labor and child labor violations to help them identify problems and set priorities. Several countries took action in this area. In Argentina, the Ministry of Labor has established a Child Labor Monitoring Office to collect statistics on the incidence of child labor in the country. Similarly, Chile's National Service for Children implemented a national monitoring system to track cases of the worst forms of child labor. In Egypt, the Ministry of Manpower and Migration established and pilot tested a new central database to monitor child labor. In Brazil, the Government continued work on a consolidated database to monitor enforcement of laws against child labor, including commercial sexual exploitation, trafficking, and forced labor.

## HIGHLIGHTS IN THE AREA OF POLICY

Policies and plans to prevent and eliminate worst forms of child labor provide roadmaps for action. Policy documents that focus on the worst forms of child labor provide





the most clear-cut indication of a country's political will to address this problem. Many countries have taken the extremely important step of integrating child labor concerns in broader child protection, poverty alleviation, and develop policy frameworks. The causes of child labor are complex and closely linked to lack of education and poverty, so meaningful solutions will dovetail with strategies to combat these related problems. Broader development, education, and poverty alleviation policies may well contribute to the elimination of the worst forms of child labor, even without an explicit focus on the problem. Many countries already have such policy frameworks, and in the past year, some countries have strengthened these policies.

The Government of Bangladesh approved the country's National Child Labor Policy 2010, which serves as a guiding instrument for the formulation of future laws and policies on child labor in both the public and private sectors. The Government of Belize's National Child Labor Policy, introduced in October 2009, establishes a multi-sectoral approach to combat exploitative child labor through consultations between governmental agencies, NGOs, the ILO and other relevant organizations. In Comoros, the Government adopted a National Action Plan to Combat Child Labor covering 2010 through 2015, which takes a holistic approach to the issue. This Plan aims to harmonize labor laws, sensitize and mobilize the population, promote universal primary education, increase access to secondary and non-formal education, provide services to victims and vulnerable children, address family poverty, collect systematic information on the worst forms of child labor, and establish a coordinating mechanism. Thailand launched the National Policy and Plan (NPP) to Eliminate the Worst Forms of Child Labor (2009-2014) and established provincial "women and child labor protection centers" to implement the plan at the provincial level. Finally, the Government of Tanzania released its National Action Plan for the Elimination of Child Labor in June 2009. The plan highlights key stakeholders and ministries responsible for child labor interventions and proposes strategies such as poverty alleviation, capacity building for enforcement and protection mechanisms, and monitoring and evaluation to combat the worst forms of child labor.

Several countries mainstreamed child labor issues into broader policy agendas, including development, human rights, and youth protection. Such mainstreaming efforts often raise the profile of child labor issues, resulting in better budgetary support and more broad-based remediation. For example, in Indonesia, the Government's

National Mid-Term Development Plan (2010-2014) calls for addressing the worst forms of child labor in domestic work, transportation, construction, and mining sectors and provides specific targets and budgetary allocations. The country's National Development Planning Agency's Strategic Guidelines for 2009 also focused on removing children from worst forms of child labor. Kosovo's Strategy and Action Plan for Human Rights (2009-2011) highlighted the need to eliminate the worst forms of child labor under its component on children's rights. In Liberia, the government published its National Youth Policy Action Plan, which provides youth of legal working age with training in entrepreneurship skills and links to business mentoring programs and cooperatives.

Some countries adopted new policies prioritizing specific worst forms of child labor which may be of particular concern. For example, the Government of Mongolia adopted the State Policy on Herders, which clarifies the conditions and criteria for engaging children in herding so as to eliminate worst forms of child labor in that sector. In Sri Lanka, which emerged from a decades-long civil war in 2009, the Government developed a National Action Plan of the National Framework Proposal for Reintegration of Ex-combatants into Civilian Life in Sri Lanka. This policy includes rehabilitation services and access to educational opportunities for ex-child combatants.

## HIGHLIGHTS IN THE AREA OF SOCIAL PROGRAMS

Many countries covered by this report reinforced social safety nets for families and children vulnerable to worst forms of child labor. Some programs explicitly target the worst forms of child labor, for instance, by transferring cash to families on the condition that children attend school, rather than working. Some combat child labor in specific sectors, some strive to provide working children with better, more accessible schools, and some focus on poverty elimination and the promotion of education, which implicitly address child labor.

In 2009, two evaluations of Brazil's child labor-focused cash transfer program, the Program to Eradicate Child Labor, showed very positive results. The program requires proof that children attend school. The same year, Ghana expanded its LEAP, an anti-poverty conditional cash transfer program which requires participating families keep their children out of child labor. Indonesia expanded a similar program to 13 provinces to reach over 500,000 impoverished households. In South Africa, small cash transfers known as Child Support Grants have been



associated with reduced poverty, improved health, and increased school attendance and performance. In Guatemala, more than 500,000 vulnerable families are benefiting from small cash transfers through the Mi Familia Progres program, initiated in 2008, which conditions these transfers on children's school attendance and regular health checks.

Other countries have focused efforts on improving vulnerable children's access to education. In 2009, Chile's Ministry of Education operated educational reinsertion programs serving 1,100 children, including child laborers, in 13 regions. In Bolivia, the Government continued to implement a cash subsidy program, offering grants for primary school students conditional upon their attending school. The Government of Ghana funded a national school feeding program that provides lunches to encourage school attendance. Programs in Dominica subsidized the cost of textbooks for primary and secondary school students as well as providing free school lunches to primary school students in targeted areas. For the most vulnerable populations, such education subsidies and school feeding programs can be a significant incentive to send children to school and keep them out of work.

Many governments are addressing worst forms of child labor in specific sectors. These initiatives range in size and scope, from small programs to sector-wide efforts, sometimes involving international industry groups and donors. One high profile initiative targets the cocoa industry in Cote d'Ivoire and Ghana. Reports of exploitative and forced child labor that surfaced a decade ago spurred efforts and pledges to address the problem, including the Harkin-Engel protocol signed by the industry in 2001. The Governments of Cote d'Ivoire and Ghana, DOL, and the international cocoa industry launched a new Framework of Action in 2010, agreeing to coordinate and provide transparent tracking of efforts to accelerate the elimination of the worst forms of child labor in the production of cocoa in the context of the Harkin-Engel protocol.

The Government of Cote d'Ivoire also started a new project to combat child labor in cocoa production titled "Self Help Villages." It aims to monitor child labor, rehabilitate schools, and provide communities with other needed infrastructure. To date, the Government has begun activities in 10 villages in the cocoa growing region, and plans to expand the program to 21 more.

The Government of Nicaragua has collaborated with coffee producers and civil society organizations to eliminate

child labor in the harvesting of coffee in the Department of Jinotega. The National Commission for the Progressive Eradication of Child Labor and Protection of the Young Worker is working with coffee producers to ensure that children whose parents migrate to harvest coffee have educational opportunities on coffee plantations. Since children usually accompany their parents for the harvest, providing schooling in these receiving areas can prevent children from becoming involved in dangerous work.

Kenya's Government continued to raise awareness of child prostitution and child sex tourism among hotel and tour operators and lobbied companies in the hospitality industry to adopt and implement a code of conduct against child sex tourism. In 2009, an additional 66 hotels signed this code.

The country reports that follow include numerous other examples of programs addressing the worst forms of child labor. Many countries are investing their own resources and many more participate in externally-funded programs supported by a host of donors, international organizations, and NGOs. These programs provide educational alternatives to victims and at risk children, raise awareness of how child labor harms children and stunts their development, build host governments' capacity to address child labor, and improve the livelihoods of vulnerable families. But clearly, much more remains to be done. And it is the host governments that bear the primary responsibility for preventing and eliminating the worst forms of child labor in their countries.

## The U.S. Experience

USDOL is a major funder of international efforts to address the worst forms of child labor, in part because our own experience teaches us that preventing such exploitation of children requires ongoing effort and vigilance. Like children everywhere, children in the United States can learn valuable skills from work that is appropriate for their level of development. Yet they can also fall victim to exploitation in the worst forms of child labor.

Many working children in the U.S. work on farms. In 2006, an estimated 1.12 million children and adolescents under age 20 resided on farms, and approximately half of them performed farm work. An additional 307,000 children and adolescents were hired to work on U.S. farms.<sup>23</sup> While the United States is in full compliance

23. See <http://www.cdc.gov/niosh/topics/aginjury/>.

with international standards and U.S. law, some of these children perform agricultural work that may jeopardize their health and safety. In 2006, an estimated 5,800 children and adolescents were injured while performing farm work. Over the period 1995 -2002, an average of 113 youth under age 20 died annually from farm-related injuries, including fatal injuries involving machinery, tractors, and motor vehicles and drowning.<sup>24</sup>

Safeguarding agricultural workers' health and safety poses challenges, because workers are often mobile, the work may be seasonal, and often occurs in remote locations. USDOL's Wage and Hour Division (WHD) aims to protect youth working in agriculture through a variety of means, including investigations and outreach to farmers, farm labor contractors, workers, parents, teachers, federal agencies, and others who provide services to farmworkers. WHD is now focusing on strengthening regulatory protections for children working in agriculture.

Children work in other U.S. industries as well, some illegally, and an estimated 146,000 youth sustain work-related injuries and illnesses each year.<sup>25</sup> In May 2010, USDOL promulgated new regulations that expanded the list of hazardous occupations and processes prohibited for children under age 18. These new rules draw on technical recommendations from the National Institute for Occupational Safety and Health (NIOSH). They bar children from working at poultry slaughtering and packaging plants; riding on forklifts; working in forest fire fighting, forestry services, and timber tract management; operating power-driven hoists and work-assist vehicles; operating balers and compactors designed or used for non-paper products; and operating power-driven chain saws, wood chippers, reciprocating saws, and abrasive cutting discs.

WHD has stiffened penalties for employers that illegally employ child workers. Under the new penalty structure, employers who employ youth who are under the age for legal employment will face a minimum penalty of \$6,000 per violation for employing 12 and 13 year olds; for workers illegally employed under age 12, the minimum rises to \$8,000 per violation. WHD can assess up to \$50,000 for a child labor violation that results in a youth's serious injury or death, and this penalty can be doubled for repeat or willful violations up to \$100,000.

USDOL is committed to ensuring that U.S. child labor laws are strictly enforced. Every onsite investigation conducted by WHD has a child labor component. Child labor complaints, although not numerous, are given the highest priority within the agency. Each year, WHD regional and local offices undertake child labor compliance initiatives in a variety of industries, such as grocery stores, shopping malls, theaters, and restaurants, homing in on industries that traditional employ large numbers of young workers and are most likely to have problems with compliance.<sup>26</sup> Ending illegal child labor is a top USDOL priority, and WHD investigators use every tool available — from imposing civil money penalties to using the “hot goods” provision to prevent interstate commerce in goods produced by child labor — to end these violations.<sup>27</sup>

Children in the U.S. are also exploited in criminal worst forms of child labor, such as prostitution and trafficking. Enforcement efforts provide a sense of the problem. In fiscal 2009, the Community Relations Unit of the Federal Bureau of Investigation (FBI) rescued 13 minors who were trafficking victims.<sup>28</sup> In 2003, the FBI, the Department of Justice's Child Exploitation and Obscenity Unit, and the National Center for Missing and Exploited Children launched the Innocence Lost National Initiative, which addresses the commercial sexual exploitation of children in the U.S. As part of the Initiative, the FBI's Crimes Against Children Unit (CACU) conducts national sting operations. Such operations in February and October of 2009 rescued a total of 107 child victims and led to the arrest of 124 pimps.<sup>29</sup> During fiscal year 2009, USDHS's Immigration and Customs Enforcement (ICE) investigations resulted in 26 convictions of human trafficking.<sup>30</sup> During the same period, ICE made over 1,400 arrests as part of Operation Predator, which targets child pornographers, child sex tourists and facilitators, human smugglers and traffickers of minors, criminal aliens convicted of offenses against minors, and those deported for child exploitation offenses who have returned illegally.<sup>31</sup>

26. The FLSA provides a minimum age of 18 years for nonagricultural occupations, and 16 years for agricultural occupations, involving work which the Secretary of Labor finds and declares to be particularly hazardous or detrimental to the health and wellbeing of persons under these ages.

27. For information on the “hot goods” provision of the Fair Labor Standards Act, see USDOL, Enforcement Under the Fair Labor Standards Act, available at <http://www.dol.gov/elaws/esa/flsa/screen74.asp>

28. U.S. Attorney General, *Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons, Fiscal Year 2009*, Washington, DC, July 2010, 41; available from <http://www.justice.gov/ag/annualreports/tr2009/agreporthumantrafficking2009.pdf>.

29. Ibid., 42.

30. Ibid., 44.

31. Ibid., 45. See also U.S. Department of Homeland Security, *Fact Sheet: Operation Predator - Targeting child exploitation and sexual crimes*, [November 19, 2008]; available from <http://www.ice.gov/news/library/factsheets/predator.htm>.

24. See <http://www.cdc.gov/niosh/topics/aginjury/>.

25. See <http://www.cdc.gov/niosh/topics/youth/>.

During fiscal 2009, USHHS certified 51 children as victims of trafficking. When such children are found, various programs are available to help them. For example, USHHS manages programs that provide child victims of trafficking, among other populations, with shelter, including foster homes and residential treatment centers, as well as food, clothing, medical care, skills training, mental health services, and assistance adjusting their immigration status.<sup>32</sup>

## Addressing Gaps to Eliminate the Worst Forms of Child Labor

Despite advances against the worst forms of child labor in various countries, much more remains to be done. Each Country Profile in this report includes suggested actions that governments can take to help reduce the worst forms of child labor. This section discusses the most common gaps in countries' efforts to address the problem, which fall into four general areas: laws and regulations, coordination and enforcement, policy, and programs.

### GAPS IN THE AREA OF LAWS AND REGULATIONS

The most commonly cited gap is the lack of comprehensive legal protections from exploitation in the worst forms of child labor. Many countries' labor and criminal laws protect some children from the worst forms of child labor, but do not provide protection to all. Often children work in sectors that are exempted from child labor laws or from labor laws more generally. For example, the majority of the world's child laborers work in agriculture, yet in many countries this sector is not covered under child or general labor laws. In such cases, governments should consider amending the laws to extend protection to all sectors of the economy, as called for in ILO standards. Child domestic servants remain vulnerable as well, because they work in private homes which generally fall outside the jurisdiction of labor laws. In these cases, the legal framework needs to be amended to ensure that children are protected from exploitation.

Some countries still lack a basic minimum age for employment, and those governments should consider amending laws to establish such a minimum age as called for in ILO standards. More commonly, some countries fail to specify a minimum age for hazardous work altogether, which is a serious omission that needs to be addressed. Other countries' minimum age for hazardous work is below 18, which fails to meet the standard set in ILO C. 182.<sup>33</sup> Another common gap is the lack of a clear definition of what constitutes hazardous work. Without such a definition, legal prohibitions against employing children in hazardous work cannot be effectively enforced. ILO C. 182 calls on countries to determine "by national laws or regulations or by the competent authority" the types of work to be considered hazardous, after consultations with employer and worker organizations. This is an important step that remains to be taken in many countries.

Providing free, compulsory education is an important tool to prevent and eliminate worst forms of child labor, and several country profiles note the need to amend educational laws. Some countries permit children to stop attending school when they are very young, too young to begin working legally. This greatly increases their risk of entering worst forms of child labor. In such cases, countries are urged to raise their compulsory education age to match the minimum age for work. Many more countries that mandate school attendance fail to make it free. While providing free, compulsory education may be a significant financial investment, it provides an enormous benefit to children of poor families, many of whom do not attend school because its cost is prohibitive. Those who attend may engage in the worst forms of child labor in order to pay for school fees, uniforms, books, and supplies. Therefore, making education free and accessible to all children should be the goal for countries that have made serious commitments to eliminate worst forms of child labor.

Country reports also point to gaps in criminal laws against worst forms of child labor. For example, some countries prohibit the prostitution of girls but are silent on the prostitution of boys, an omission that should be addressed as boys are also victims. Some criminal laws prohibit the prostitution of children 16 and under, though under international standards children should be protected up to the age of 18. Some countries lack legal prohibitions against using children in armed conflict, and as noted above, in

32. U.S. Department of Health and Human Services, *The Campaign to Rescue and Restore Victims of Human Trafficking: About Human Trafficking*, [August 10, 2010]; available from <http://www.acf.hhs.gov/trafficking/about/index.html#wwd>. See also U.S. Attorney General, *Annual Report to Congress*, 18, 19.

33. Although ILO C. 138 provides for exceptions in which countries may establish 16 as the minimum age for some forms of hazardous work when appropriate measures are taken to protect the health and safety of young persons, USDOL used 18 as the standard for this report, in line with the basic provision of the Convention.



some of these countries children continue to be recruited and even forced to fight.

## GAPS IN THE AREA OF COORDINATION AND ENFORCEMENT

As noted earlier, laws without enforcement have little impact. While some countries made progress in enforcing their child labor laws, this is an area where much work remains to be done. Many countries are seriously lacking in their capacity to effectively enforce their laws against worst forms of child labor. Many labor inspectorates are chronically understaffed and lack the resources, including vehicles, needed to conduct inspections on an adequate scale to identify and deter violations. Enforcement officials are often in need of training on applicable laws and how to identify cases of worst forms of child labor.

Even where inspections appear numerous, convictions and penalties may be rare. This raises the question of whether inspections are appropriately targeting workplaces (or brothels) where children are most frequently exploited.

Another frequently cited gap in enforcement is the lack of information. Many countries do not collect data or report on enforcement. Without such data, countries are not able to evaluate their progress in addressing worst forms of child labor. Some countries do collect such data, but fail to make it available to the public. Whatever the reasons for this lack of transparency, it denies citizens valuable information they may need to effect change.

Another frequently cited gap in the area of enforcement is the lack of a clear mechanism to coordinate efforts across the various entities responsible for implementing and enforcing laws. Without coordination it is difficult for countries to maximize the impact of their efforts.

## GAPS IN THE AREA OF POLICY

Many countries have national policies in place to eradicate child labor and many include child labor as an explicit objective in related development or education policies. However failure to implement those policies is a common problem. Carrying out policies and action plans requires governments to allocate resources, assign responsibilities,

and make a real and ongoing commitment to deal with the problem. Many countries implement anti-poverty and other development plans that may indirectly affect the worst forms of child labor. In these cases, it would be desirable to launch research that assesses the impact of these programs on child labor.

There is an increasing body of knowledge on child labor around the world, including the worst forms of child labor, and countries interested in conducting such research can draw upon the methodologies and models that have been tested and validated elsewhere.

## GAPS IN THE AREA OF PROGRAMS

The most commonly cited gap in the country profiles in the area of programs to address worst forms of child labor is the need to expand the scope and coverage of existing programs. Many countries have implemented programs to prevent and eliminate the worst forms of child labor, often with donor assistance, but they typically are not of sufficient scale to satisfy existing needs and cover all sectors where children are exploited. Some countries programs may target trafficking, for example, while ignoring more pervasive child labor in agriculture.

Another frequently-cited gap is insufficient effort to raise public awareness on worst forms of child labor. Families and communities do not always understand the severe risks faced by children lured into domestic service or lucrative-sounding jobs in capital cities or wealthier countries, where many children may find themselves trafficked into prostitution, face physical abuse, or be forced into other forms of labor that profoundly harm them.

Finally, although larger-scale social and economic programs may well be an essential part of efforts to combat the worst forms of child labor, there is a need to better understand this relationship. Poverty is one of the main causes of child labor. Only by addressing these linked issues together can efforts to lift children and families out of this cycle truly succeed.

THE majority of the profiles in this report provide one or more of the following pieces of data: percentage of children counted as working, number of children counted as working, percentage of children counted as working by industry, percentage of children attending school, and percentage of children who combine school and work. This section describes the sources and provides definitions for these data. This section also discusses some of the strengths and weaknesses of these data. While in a few cases more current sources of data may be available than those used here, the report uses the most reliable, standardized sources available to date to allow for cross-country comparisons. Because reliable child labor surveys are not available for many countries, USDOL uses statistics in some cases as old as 10 years as of the writing of this report (1999). In the event that data did not exist from the sources described below, no other reliable and publicly available source of data exists for a country, or data existed but had not been analyzed to allow for cross-country comparisons, the report concludes that the statistics are “unavailable.”

## WORKING CHILDREN

Many of the profiles in this report present data on the percentage of children counted as working in the country in question. The percentage of children counted as working is the share of all children within a given age group that reported working in market activities. The number of children counted as working is also presented when available. Data presented in the current report may differ from data that were presented in previous reports because more updated data have become available.

Data are from the UCW project<sup>1</sup> analysis of primarily four survey types: (1) ILO's SIMPOC surveys; (2) UNICEF's Multiple Indicator Cluster Surveys (MICS); (3) World Bank-sponsored surveys, including Living Standards Measurement Surveys (LSMS), Priority Surveys, and others; and (4) other types of survey instruments including Labor Force Surveys (LFS) and Demographic and Health Surveys (DHS). The first three survey programs are commonly recognized as being the primary sources for data on children's work and child labor and, therefore, generally received priority over all

other available data sources.<sup>2</sup>

Every effort was made to include the most recent, reliable, and available data source among the four survey types. In countries where a SIMPOC, MICS, or World Bank-sponsored survey did not exist or the data were not available for analysis by the UCW project, other reliable and publicly available sources of micro-data were analyzed and presented in the report.

In general, when research reports refer to children's work they define work as “economic activity.” Economic activity is defined by the ILO as “the production of economic goods and services as defined by the United Nations system of national accounts and balances during a specified time-reference period.”<sup>3</sup> Economic activities can further be broken down into market and non-market activities. Market activities are those activities that lead to the production of goods and services that are primarily intended for sale or are sold on the market. Non-market activities are those activities that lead to the production of goods primarily for household final consumption. Non-market economic activities include, for example, bottling; dressmaking and tailoring; and the production of butter, cheese, or flour for the household's own consumption. Non-market activities are typically excluded from current child labor surveys altogether or are not measured in enough detail to enable their full inclusion in an estimate of economic activity. For these reasons, the statistics on working children presented in this report generally represent children involved in market activities.

However, according to UCW researchers, typical child labor surveys do not collect enough detailed information on children's activities to accurately measure economic activity.<sup>4</sup> This sentiment was echoed in December 2008 at the 18th ILO International Conference of Labor Statisticians. A resolution was adopted at the conference that provides new guidelines for governments on collecting child labor data. Specifically, the guidance indicates that countries may choose to use a broad framework to measure children's work and child labor that encompasses unpaid household services; or that countries may use a narrower definition of children's

1. As part of broader efforts toward sustainable solutions to child labor, the ILO, UNICEF, and World Bank initiated the inter-agency UCW project in December 2000. The project is guided by the Oslo Agenda for Action, which laid out the priorities for the international community in the fight against child labor. For further information, see the project Web site at: [www.ucw-project.org](http://www.ucw-project.org).

2. A.R. Ritualo, C. Castro, and S. Gormly, “Measuring Child Labor: Implications for Policy and Program Design,” *Comparative Labor Law and Policy* 24, no. 401 (2003).

3. ILO, *Current International Recommendations on Labour Statistics: 2000 Edition*, Geneva, 2000.

4. L. Guarcello, S. Lyon, F.C. Rosati, and C. Valdivia, *Towards statistical standards for children's non economic work: A discussion based on household survey data*, UCW project, Rome, 2005.



work that excludes such services, as long as the definition used is clearly specified.<sup>5</sup> This resolution will likely lead to the collection of more comparable data on children's involvement in non-market activities in the future.

In analyzing the data from the above-mentioned surveys, UCW attempted to apply a standard definition of children's work. Although UNICEF MICS and ILO SIMPOC reports, for example, each use a different definition of work (as of the writing of this report, MICS survey reports include household chores in their definition of work while SIMPOC reports do not), to the extent possible UCW applied a common definition of work to the micro-data described. To date, this has resulted in the individual analysis of more than 75 data sets.

While every attempt was made to present a standardized child work statistic, there are differences across surveys that have the potential to affect the comparability of statistics across countries. Some of these differences are explained in greater detail here but in general include differing age groups, questionnaire content and wording, purpose of the survey, sample design, non-sampling errors, and year of data collection.

In general, data are presented for children 5 to 14, but some of the profiles present a work statistic for children 6 to 14, 7 to 14, or 10 to 14 depending on the age categories used in the original survey. The wording of work-related questions may also impact results. For example, the question on work in these surveys usually refers to work in the past 7 days; however, some surveys may refer to work activities in the past 12 months and are therefore likely to capture a higher proportion of working children than surveys with 7 day timeframes. The purpose of the survey—whether the survey is designed specifically to measure children's work and child labor (SIMPOC surveys) or to measure the impact of poverty reduction programs (World Bank's LSMS)—may affect estimates of children's work. In addition, sample design may impact survey results. For example,

children's work is often geographically clustered and SIMPOC surveys are designed to capture children's work in such geographic areas. As a result, estimates of working children based on SIMPOC data are typically higher when compared to estimates based on LSMS surveys, which do not use the same sample design.<sup>6</sup> The ILO and UCW continue to investigate the effects of these survey differences on estimates of children's work.

When such information is available, country profiles also include the industry in which children reportedly work. For some surveys, industry of work was not reported by the entire sample of working children. Therefore, the distribution of children working by industry (i.e., agriculture, service, and manufacturing) represents children with non-missing data for industry of work.

## PERCENT OF CHILDREN ATTENDING SCHOOL

The percentage of children attending school is the share of all children within a specified age group that reported attending school. The UCW project data described above in the section "Working Children" are used to develop country-specific school attendance statistics. In general, the age group for which attendance statistics are calculated is for children 5 to 14 years. In some cases, however, different age categories are used, usually ranging from 6 to 14 years or 7 to 14 years.

## PERCENT OF CHILDREN COMBINING SCHOOL AND WORK

The percentage of children who combine school and work is the share of all children within a specified age group that reporting both working and attending school. The UCW project data described above in the section "Working Children" are used to develop country-specific statistics on children combining school and work. The age group for which these statistics are calculated is for children 7 to 14 years.

5. ILO, *Report of the Conference: 18th International Conference of Labour Statisticians*, Geneva, 24 November-5 December 2008, 2009; available from [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/---stat/documents/meetingdocument/wcms\\_101467.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/---stat/documents/meetingdocument/wcms_101467.pdf).

6. ILO-IPEC, *Every Child Counts: New Global Estimates on Child Labour*, Geneva, April 2002, 38. See also A.R. Ritualo, C. Castro, and S. Gormly, "Measuring Child Labor: Implications for Policy and Program Design."

## BASIC EDUCATION

**B**ASIC education comprises both formal schooling (primary and sometimes lower secondary) as well as a wide variety of non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.

Source: UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM], Paris: 2001.

## BONDED LABOR

Bonded labor or debt bondage is “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined,” as defined in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Bonded labor typically occurs when a person who needs a loan and has no security to offer pledges his/her labor, or that of someone under his/her control, as a security for a loan. In some cases, the interest on the loan may be so high that it cannot be paid. In others, it may be deemed that the bonded individual’s work repays the interest on the loan but not the principal. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt.

Bonded labor is identified as one of the worst forms of child labor in ILO Convention 182.

Source: United Nations, *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*, (September 7, 1956); available from <http://www.ilo.org/public/english/comp/child/standards/supcons.htm>. See also U.S. Department of Labor, *By the Sweat and Toil of Children, Vol. I: The Use of Child Labor in U.S. Manufactured and Mined Imports* (Washington, DC: USDOL, 1994), 18. See also ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, (Geneva: ILO, 2004), 287. See also ILO Convention No. 182, *Worst Forms of Child Labor*, (1999); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## CHILD

A person less than 18 years of age.

Source: ILO Convention No. 182, *Worst Forms of Child Labour*, (1999); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## CHILD DOMESTIC SERVANTS

Child domestic servants, also referred to as child domestic workers or domestics, are children who work in other people’s households doing domestic chores, caring for children, and running errands, among other tasks. Child domestics sometimes have live-in arrangements, whereby they live in their employer’s household and work full-time in exchange for room, board, care, and sometimes remuneration. Child domestic service is mainly done by young girls, who are often subjected to sexual, physical, and verbal abuse.

Source: UNICEF, “Child Domestic Work,” *Innocenti Digest* 5 (1999), 2. See also ILO-IPEC, *Child Labour: A Textbook for University Students, Appendix 2: Glossary*, 287, (Geneva: ILO, 2004).

## CHILD LABOR EDUCATION INITIATIVE

Since fiscal year 2001, the U.S. Congress has appropriated a total of \$249 million to USDOL for a Child Labor Education Initiative program to support international efforts to eliminate child labor through programs that will improve access to education in international areas with a high rate of abusive child labor.

Source: U.S. Department of Labor, Bureau of International Labor Affairs, *International Technical Cooperation*, [online, accessed November 11, 2010]; available from <http://www.dol.gov/ilab/programs/ocft/icltc.htm>.

## COMMERCIAL FARMS

Commercial farms are large-scale agricultural holdings that produce for largely commercial purposes. For the purposes of this report, the term “commercial farms” encompasses both farms and plantations, which are defined as agricultural holdings that produce commodities exclusively for export. Commercial farms generally pay workers by either the weight or the quantity of the product collected. To ensure that this minimal amount is met, or to maximize earnings, children may work alongside their parents, as part of a family unit. Children may also be hired as full-time wage-laborers, although they usually perform the same work as adult workers, but are paid half to one-third the amount paid to adults doing comparable work. Workdays can be extremely long, and safety and health risks include exposure to dangerous chemical fertilizers or pesticides, poisonous insects or reptiles, and unsafe hygienic conditions and drinking water.



ILO Convention 138 prohibits the use of child labor on “plantation and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.” The line between “commercial” agriculture and “production for local consumption,” however, is frequently blurred.

Source: U.S. Department of Labor, *By the Sweat and Toil of Children*, Vol. II: *The Use of Child Labor in U.S. Agricultural Imports and Forced and Bonded Child Labor* (Washington, DC: 1995), 2-4, 10. See also ILO Convention No. 138, *Minimum Age for Admission to Employment*, (1973); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

Based on the 1996 Declaration and Agenda for Action of the First World Congress against the Commercial Sexual Exploitation of Children, commercial sexual exploitation of children (CSEC) is defined as “sexual abuse by the adult and remuneration in cash or kind to the child or third person or persons.” The remuneration dynamic distinguishes CSEC from the sexual abuse of a child where commercial gain is absent, although sexual exploitation is also abuse. CSEC includes—

- ♦ Prostitution in the streets or indoors, in such places as brothels, discotheques, massage parlors, bars, hotels, and restaurants, among others;
- ♦ Child sex tourism;
- ♦ The production, promotion, and distribution of pornography involving children;
- ♦ The use of children in sex shows (public or private).

ILO Convention 182 prohibits the sale and trafficking of children and the use, procuring, or offering of a child for prostitution for the production of pornography or for pornographic performances.

Source: *Declaration and Agenda for Action of the First World Congress against the Commercial Sexual Exploitation of Children*, Stockholm, August 27-31, 1996, available from [http://www.csecworldcongress.org/PDF/en/Stockholm/Outome\\_documents/Stockholm%20Declaration%201996\\_EN.pdf](http://www.csecworldcongress.org/PDF/en/Stockholm/Outome_documents/Stockholm%20Declaration%201996_EN.pdf). UNICEF, *Child Protection Information Sheet: Commercial Sexual Exploitation* (May 2006), available from [http://www.unicef.org/protection/files/Sexual\\_Exploitation.pdf](http://www.unicef.org/protection/files/Sexual_Exploitation.pdf). See also ECPAT International, *CSEC Definitions*, available from <http://www.ecpat.net/eng/CSEC/definitions/csec.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labor*, (June 17, 1999); available from <http://www.ilo.org/public/english/>

[standards/ipecc/ratification/convention/text.htm](http://standards/ipecc/ratification/convention/text.htm). Additional definitional aspects above provided by ILO-IPEC.

## COMPULSORY EDUCATION

Compulsory education refers to the number of years or the age span during which children and youth are legally obliged to attend school.

Source: UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM], Paris: 2001.

## CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of the Child spells out basic rights of children, such as the right to survival; to develop to the fullest; to protection from harmful influences, abuse, and exploitation; and to participate fully in family, cultural, and social life. The Convention protects children’s rights by setting standards in health care, education and legal, civil, and social services. According to Article 32 of the Convention, children have the right “to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral, or social development.”

Source: *UN Convention on the Rights of the Child*; available from <http://www2.ohchr.org/english/>.

## EDUCATION FOR ALL

In 1990, delegates from more than 155 countries convened in Jomtien, Thailand to create strategies for addressing the issues of education, literacy, and poverty reduction. Using the Universal Declaration of Human Rights as a basis for their work, participants established a set of goals to provide all children, especially girls, with the right to an education and to improve adult literacy around the world. The result was the World Declaration on Education for All (EFA). This declaration called for countries, by the end of the decade, to meet the basic learning needs of all children and adults, provide universal access to education for all, create equity in education for women and other underserved groups, focus on actual learning acquisition, broaden the types of educational opportunities available to people, and create better learning environments for students.

In April 2000, delegates gathered again for the World Education Forum in Dakar, Senegal. After reviewing

the data gathered, it was clear that much more progress would be needed to achieve EFA. These delegates, from 164 countries, adopted the Dakar Framework for Action and renewed and strengthened their commitment to the achievement of quality basic education for all by the year 2015. The World Education Forum adopted six major goals for education to be achieved within 15 years, including the attainment of Universal Primary Education and gender equality, improving literacy and educational quality, and increasing life-skills and early childhood education programs.

Source: UNESCO, *The World Conference on Education for All*, Jomtien, Thailand (March 5-9, 1990), [conference proceedings]; available from [http://www.unesco.org/education/efa/ed\\_for\\_all/background/world\\_conference\\_jomtien.shtml](http://www.unesco.org/education/efa/ed_for_all/background/world_conference_jomtien.shtml). See also UNESCO, *World Education Forum*, Dakar, Senegal (April 2000), [conference proceedings]; available from [http://www.unesco.org/education/efa/wef\\_2000/index.shtml](http://www.unesco.org/education/efa/wef_2000/index.shtml). See also UNESCO, *Education for All: Meeting Our Collective Commitments*, Text adopted by the World Education Forum Dakar, Senegal, April 26-28, 2000, available from [http://www.unesco.org/education/efa/ed\\_for\\_all/dakfram\\_eng.shtml](http://www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml).

## FORCED LABOR

Forced labor is defined in ILO Convention 29 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” In practice, it is the enslavement of workers through the threat or use of coercion, and it is primarily found among the most economically vulnerable members of society.

Forced or compulsory labor is identified as one of the worst forms of child labor in ILO Convention 182.

Source: ILO Convention 29, *Forced Labour*, (1930); available from <http://www.ilo.org/public/english/dialogue/actrav/enviro/backgrnd/ilohrcon.htm>. See also ILO Convention 182, *Worst Forms of Child Labour*, (1999); available from <http://www.ilo.org/public/english/standards/ipecc/ratification/convention/text.htm>.

## FORMAL EDUCATION

The system of formalized transmission of knowledge and values operating within a given society, usually provided through state-sponsored schools.

Source: ILO-IPEC, *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 288. (Geneva: ILO, 2004).

## ILO CONVENTION 138: MINIMUM AGE FOR ADMISSION TO EMPLOYMENT

ILO Convention 138, adopted in 1973 and ratified by 151 nations, serves as the principal ILO standard on child labor. Under Article 2(3) of ILO Convention 138, Minimum Age for Admission to Employment, the minimum age of admission into employment or work in any occupation “shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than fifteen.” Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention. Additionally, under Article 7(1), “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is—(a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.” Countries that specify a minimum legal working age of 14 years may permit light work for persons 12 to 14 years.

Source: ILO Convention No. 138, *Minimum Age for Admission to Employment*, (1973); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. Ratifications are current as of April 2009.

## ILO CONVENTION 182: WORST FORMS OF CHILD LABOR

ILO Convention 182 was adopted in 1999 and has been ratified by 169 nations. It commits ratifying nations to take immediate action to secure the prohibition and elimination of the worst forms of child labor. Under Article 3 of the Convention, the worst forms of child labor comprise—

- ♦ All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- ♦ The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes;
- ♦ The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;



- ◆ Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

Among other actions, ILO Convention 182 requires ratifying nations to remove children from abusive child labor and provide them with rehabilitation, social reintegration, and access to free basic education and vocational training; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the Convention; take into account the special vulnerability of girls; and provide assistance and/or cooperate with efforts of other members to implement the Convention.

Source: ILO Convention No. 182, *Worst Forms of Child Labour*, (1999); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. Ratifications are current as of April 2009.

## ILO-IPEC: INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR

In 1992, ILO created IPEC to work toward the progressive elimination of child labor by strengthening national capacities to address child labor problems, and by creating a worldwide movement to combat it. Although ILO-IPEC aims to address all forms of child labor, its focus is on the elimination of the worst forms of child labor.

Countries participating in ILO-IPEC usually sign a MOU outlining the development and implementation of ILO-IPEC activities and the efforts to be undertaken by governments to progressively eradicate child labor. ILO-IPEC National Program Steering Committees are then established with the participation of governments, industry and labor representatives, and experienced NGOs. ILO-IPEC provides technical assistance to governments, but most of the direct action programs for children are carried out by local NGOs and workers' and employers' organizations. ILO-IPEC activities include awareness raising about child labor problems; capacity building for government agencies and statistical organizations; advice and support for direct action projects to withdraw working children from the workplace; and assistance to governments in drawing up national policies and legislation.

Since fiscal year 1995, the U.S. Congress has appropriated \$410 million to USDOL to support ILO-IPEC projects.

Source: ILO-IPEC, *What is IPEC: IPEC at a Glance*; available from: <http://www.ilo.org/public/english/standards/ipec/about/implementation/ipec.htm>. See also ILO, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, February 2007, 10 and 29; available from [http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20070228\\_Implementationreport\\_en\\_Web.pdf](http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20070228_Implementationreport_en_Web.pdf). See also *IPEC's Strategy to Eliminate Child Labour*; available from [http://www.ilo.org/public/english/standards/ipec/publ/download/factsheets/fs\\_ipecstrategy\\_0303.pdf](http://www.ilo.org/public/english/standards/ipec/publ/download/factsheets/fs_ipecstrategy_0303.pdf). See also U.S. Department of Labor, Bureau of International Labor Affairs, *International Technical Cooperation*, [online]; available from <http://www.dol.gov/ilab/programs/ocft/icltc.htm>.

## ILO RECOMMENDATION 190: WORST FORMS OF CHILD LABOR

ILO Recommendation 190 supplements the provisions of ILO Convention 182 and provides guidance to ratifying countries regarding its implementation. The Recommendation describes populations in need of specific attention regarding the worst forms of child labor, such as girls and children involved in hidden forms of work. It further provides guidelines to assist countries in determining the kinds of hazardous work that should be considered worst forms and thus prohibited to children. Finally, Recommendation 190 provides guidance regarding specific steps countries that have ratified Convention 182 should take in order to combat the worst forms of child labor, such as the collection and exchange of data on both the problem and best practices to address it; passage and enforcement of laws that penalize violations with criminal penalties; awareness raising about the problem; establishment of policies against the worst forms of child labor; and international cooperation through technical, legal, and other forms of assistance.

## INFORMAL SECTOR

Definitions of the informal sector vary widely. In general, the informal sector refers to areas of economic activity that are largely unregulated and not subject to labor legislation. A more precise description of the informal sector by ILO suggests "these units typically operate at a low level of organization, with little or no division between labor and capital as factors of production and on a small scale." Furthermore, where labor relations exist, interactions are not based on contracts or formal arrangements; rather they are grounded on casual employment, kinship, and personal or social relations. Because employers in the informal sector are not accountable for complying with occupational safety measures, children who work in

“hazardous” or “ultra-hazardous” settings likely run the risk of injury without any social protections. For this reason, households may be reluctant to indicate work by children in the informal sector, which can increase the probability of underreporting. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises do not show up in labor force activity rates.

Source: ILO, *Informal Sector: Who are they?* [online] 2000; available from <http://www.ilo.org/public/english/employment/skills/informal/who.htm>. See also ILO, proceedings of the 15<sup>th</sup> International Conference of Labor Statisticians, (Geneva, Switzerland, January 19-28, 1993). See also U.S. Department of Labor, *By the Sweat and Toil of Children, Vol. I: The Use of Child Labor in U.S. Manufactured and Mined Imports* (Washington, DC: 1994), 2.

## LIGHT WORK

This report uses the definition of light work as established in ILO Convention 138, Minimum Age for Admission to Employment. Under Article 7(1) of the convention, “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is—(a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.” Countries that have specified a minimum legal working age of 14 years may permit the employment or work of persons 12 to 14 years of age on light work as defined in Article 7(1).

Source: ILO Convention No. 138, *Minimum Age for Employment*, (1973), Article 3; available from. <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## MINIMUM AGE OF WORK

The minimum age of work is the age at which a child can enter into work. ILO Convention 138 states that the minimum age for admission to employment should not be less than the age of completion of compulsory schooling and should not be less than 15 years (14 for developing countries).

Source: ILO-IPEC, *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 290. (Geneva: ILO, 2004).

## NON-FORMAL EDUCATION

Any organized educational activity outside the established formal school system—whether operating separately or as an important feature of some broader activity—that is intended to serve identifiable learning objectives. Non-formal or transitional education programs can enable former child workers to “catch up” or be “mainstreamed” with their peers who began their schooling at the appropriate age. However, there should always be a strong link between such rehabilitation programs and the formal education system, since the latter will ensure opportunities for further education and employment.

Source: ILO-IPEC, *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 290. (Geneva: ILO, 2004).

## OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the involvement of children in armed conflict, which is a worst form of child labor per ILO Convention 182, Article 3(a).

Source: Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; available from <http://www2.ohchr.org/english/law/crc-conflict.htm>.

## OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION, AND CHILD PORNOGRAPHY

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the commercial sexual exploitation of children, which is a worst form of child labor per ILO Convention 182, Article 3(b).

Source: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography; available from <http://www2.ohchr.org/english/law/crc-sale.htm>.

## POVERTY REDUCTION STRATEGY PAPER

A Poverty Reduction Strategy Paper (PRSP) is a document written by the government of a developing country with the participation of civil society to serve as

the basis for concessional lending from the World Bank and IMF, as well as debt relief under the World Bank's Highly Indebted Poor Countries Initiative. A PRSP should measure poverty in the country, identify goals for reducing poverty, and create a spending and policy program for reaching those goals. A PRSP should also ensure that a country's macroeconomic, structural, and social policies are consistent with the objectives of poverty reduction and social development. A new PRSP must be written every three years in order to continue receiving assistance from International Financial Institutions such as the World Bank.

Source: World Bank, *Overview of Poverty Reduction Strategies*, [online]; available from <http://www.worldbank.org/poverty/strategies/overview.htm>.

## PRIMARY EDUCATION

Primary education, sometimes called elementary education, refers to school usually beginning at 5 or 7 years of age and covering about six years of full-time schooling. In countries with compulsory education laws, primary education generally constitutes the first (and sometimes only) cycle of compulsory education.

Source: UNESCO, *Education for All: Year 2000 Assessment: Glossary* [CD-ROM], Paris: 2001.

## PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (PALERMO PROTOCOL)

The Palermo Protocol, as the protocol supplementing the United Nations Convention against Transnational Organized Crime is commonly known, covers trafficking of children, also delineated as a worst form under ILO Convention 182, Article 3(a).

Source: UNODC, *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*, 2004, 41; available from <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

## RATIFICATION

Ratification is a serious undertaking by a State formally accepting the terms of an international agreement, thereby becoming legally bound to apply it. Other ways

of becoming bound to an international agreement include acceptance, approval, accession, signature, or an exchange of notes.

In order to ratify an agreement, a country must, if necessary, adopt new laws and regulations or modify the existing legislation and practice to support the agreement, and formally deposit the instruments of ratification with the appropriate depositary. (In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO International Labor Office.)

For certain international agreements that require ratification, signing an agreement or enacting an agreement into domestic law by Congress, or a similar state organ, does not mean that the international agreement has been ratified. Signing an international agreement serves as a preliminary endorsement, albeit a formality, as signatories are not bound by the terms of the international agreement or in any way committed to proceed to the final step of ratification. However, a signatory is obliged to refrain from acts which would defeat the object and purpose of the international agreement, unless it makes its intention not to become a party to the international agreement clear. Similarly, appropriate state entities may signal approval of an international agreement, but that is only one of the requisite steps on the path toward official ratification. The final step requires that the instruments of ratification be submitted to the depositary.

In the case of ILO conventions, ILO procedures provide the option to ratify or not ratify a convention, but do not include the option to sign a convention as a preliminary endorsement. Generally, an ILO convention comes into force in a ratifying country 12 months after the government has deposited the requisite instrument of ratification. This grace period provides ILO members time to enact or modify legislation to comply with the convention before it comes into force.

Source: ILO, *How International Labour Standards are created*, [online]; available from [http://www.ilo.org/global/What\\_we\\_do/InternationalLabourStandards/Introduction/creation/lang-en/index.htm](http://www.ilo.org/global/What_we_do/InternationalLabourStandards/Introduction/creation/lang-en/index.htm). See also UNICEF, *The Process: From Signature to Ratification* [online]; available from <http://www.unicef.org/crc/process.htm>. See also ILO Convention No. 138, *Minimum Age for Admission to Employment*, Article 11; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labor*, Article 9; available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.



## TIMEBOUND PROGRAM

ILO Convention 182 calls for timebound measures to eliminate the worst forms of child labor. Timebound Programs were spearheaded by ILO-IPEC and are carried out by governments with support from the UN organization. The programs aim to prevent and eliminate all incidences of the worst forms of child labor in a country within a defined period.

Source: ILO-IPEC, *Eliminating the Worst Forms of Child Labor: An Integrated and Time-Bound Approach: A Guide for Governments, Employers, Workers, Donors, and other Stakeholders*, Geneva, April 2001, 3. See also ILO, *IPEC Action Against Child Labour 2008: Highlights*, Geneva, February 2009; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=9471>.

## TRAFFICKING OF CHILDREN

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children provides a commonly accepted definition of human trafficking. It states: “(a) ‘trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of

vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs....” It goes on to state: “(c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this Article....”

The trafficking of children is identified as a worst form of child labor in ILO Convention 182.

Source: UNODC, *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*, 2004, 41; available from <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>. See also ILO Convention No. 182, *Worst Forms of Child Labor* (1999); available from <http://www.ilo.org/ilolex/english/convdisp2.htm>.

## WORST FORMS OF CHILD LABOR

See “ILO Convention 182: Worst Forms of Child Labor.”